

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-203-E - ORDER NO. 2012-495
JULY 13, 2012

IN RE: Petition of South Carolina Electric & Gas)	ORDER DENYING
Company for Updates and Revisions to)	PETITION TO
Schedules Related to the Construction of a)	INTERVENE
Nuclear Base Load Generation Facility at)	
Jenkinsville, South Carolina)	

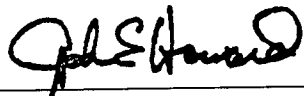
This matter comes before the Public Service Commission of South Carolina (“Commission”) on a Petition to Intervene submitted by Joseph Wojcicki. As to his standing to intervene, Mr. Wojcicki asserts that: (1) he is a shareholder with some financial interest in SCANA; (2) producers and users of electricity are connected to the Southeast electric grid and the proposed capital expenditures in this Docket will increase his rates; (3) the proposed capital expenditures will adversely affect impact his right to recreate on the rivers; (4) his property is within the Broad River, Saluda River and Congaree River basin; (5) the withdrawal of water by SCE&G’s reactors and the Duke Energy reactors will decrease volume needed for normal consumption, create unsafe living conditions, and cause fire protection to suffer; (6) part of the returned hot water from cooling systems will increase the overall temperature for rivers in Columbia area; (7) his property will be within such a close proximity to the site that the value of his home will be affected; and (8) in the event of a radiation leak or explosion, his property will be lost, he will have to evacuate, and he will never be allowed to use his home again. South Carolina Electric and Gas Company (“SCE&G”) opposes Mr. Wojcicki’s Petition

because he does not meet the criteria to intervene specified by South Carolina law. SCE&G emphasizes that he is not a customer, and that he also fails to state an actual or likely "invasion of a legally protected interest which is (a) concrete and particularized, and (b) actual or imminent, not conjectural or hypothetical."¹

We conclude that SCE&G is correct. The claims asserted by Mr. Wojcicki are both conjectural and hypothetical. Further, he has not stated a legally protected interest that is either (a) concrete and particularized or (b) actual or imminent. Accordingly, Mr. Wojcicki's Petition has failed to meet the legal standards for a Petition to Intervene in South Carolina, and we hold that Mr. Wojcicki's Petition to Intervene is denied.

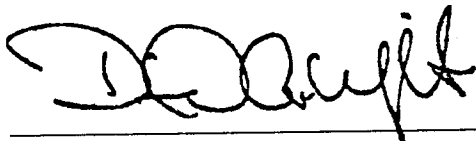
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



John E. Howard, Chairman

ATTEST:



David A. Wright, Vice Chairman
(SEAL)

¹ *Smiley v. S. C. Dept. of Health & Envtl. Control*, 374 S.C. 326, 329, 649 S.E.2d 31, 32-33 (2007) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-561, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992)» (internal quotations and citations omitted); *Sea Pines Ass'n for the Protection of Wildlife, Inc. v. S.C. Dep't of Natural Resources*, 345 S.C. 594, 550 S.E.2d 287 (2001).